

PROVIDING FOR THE ADMINISTRATION OF TITLE III OF THE
LEGISLATIVE REORGANIZATION ACT OF 1946 (FEDERAL REGU-
LATION OF LOBBYING ACT) BY THE COMPTROLLER GENERAL
OF THE UNITED STATES

JUNE 30 (legislative day, JUNE 29), 1965.—Ordered to be printed

Mr. JORDAN of North Carolina, from the Committee on Rules and
Administration, submitted the following

REPORT

[To accompany S. 2233]

The Committee on Rules and Administration, having under consideration an original bill (S. 2233) to provide for the administration of title III of the Legislative Reorganization Act of 1946 (Federal Regulation of Lobbying Act) by the Comptroller General of the United States, report thereon and recommend that the bill do pass.

The committee is reporting this proposed new law to implement one of the recommendations contained in its supplemental report to the Senate of June 30, 1965, on its inquiry into the financial, business, or other activities of present or former Members, officers, or employees of the Senate, with particular emphasis on the allegations raised in connection with the construction of the District of Columbia Stadium, and matters related thereto, pursuant to Senate Resolution 212 and Senate Resolution 367 of the 88th Congress.

PRESENT LAW

Title III of the Legislative Reorganization Act of 1946 enacted the Federal Regulation of Lobbying Act (2 U.S.C. 261 et seq.). That act imposes certain duties upon persons who solicit or receive any valuable consideration to be used chiefly for the purpose of influencing the passage or defeat of legislative measures in the Congress (2 U.S.C. 266). Such persons are required to file under oath with the Secretary of the Senate and the Clerk of the House of Representatives statements quarterly to disclose certain information, including their identity, the identity of any principals for whom they are acting, the duration of their employment, and the amounts received by them as compensation and for expenses incurred (2 U.S.C. 267-268). They

are also required to keep certain records as to the sources and amounts of contributions received by them (2 U.S.C. 262), give receipts for contributions received (2 U.S.C. 263), and file with the Clerk of the House quarterly statements disclosing specified information concerning contributions made to them and expenditures made by them for the purpose of influencing legislation (2 U.S.C. 264).

All information so received by the Secretary of the Senate and the Clerk of the House is complied by them, acting jointly, and is published quarterly in the Congressional Record (2 U.S.C. 267(b)). Financial reports received by the Clerk are preserved for 2 years after filing, and are open to public inspection (2 U.S.C. 265).

Violation of the provisions of the act is punishable as a misdemeanor, and any person convicted of such violation is barred for a period of 3 years thereafter from engaging in activities of the kind described in the act (2 U.S.C. 269). No specific provision is made for the investigation of violations of the act.

PROPOSED AMENDMENT

The proposed amendment, which would take effect as of January 1, 1966, makes no change in the substantive requirements of the act. It does change the procedure prescribed for the filing of statements, and makes affirmative provision for the investigation of violations.

Under the amendment the required statements would be filed with the Comptroller General, instead of with the Secretary of the Senate and the Clerk of the House. The Comptroller General would be required to transmit copies thereof to the Secretary of the Senate and the Clerk of the House, who would be required to retain those reports as records open to public inspection for 2 years.

Responsibility for the administration of the act, the examination of the reports filed thereunder, and the investigation of probable violations of the act would be placed upon the Comptroller General. He would be specifically directed to—

- (1) develop and prescribe methods and forms for the filing of reports and statements required by the act, and promulgate regulations for the administration of the act;

- (2) make available for public inspection all reports and statements filed under the act;

- (3) ascertain whether any persons have failed to file reports or statements as required by the act, or have filed incomplete or inaccurate reports or statements, and notify such persons that they are obligated to file such reports or statements in compliance with the requirements of the act;

- (4) report violations of the act to the appropriate law enforcement agencies of the Government;

- (5) make such studies and transmit to the Congress such recommendations as he may deem necessary or appropriate to further the objectives of the act; and

- (6) transmit to the Congress annually a full and complete report on the administration of the act.

CHANGES IN EXISTING LAW

In accordance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill S. 24, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

FEDERAL REGULATION OF LOBBYING ACT

(60 Stat. 839; 2 U.S.C. 261)

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DEFINITIONS

SEC. 302. When used in this title—

* * * * *

(d) *The term "Comptroller General" means the Comptroller General of the United States.*

* * * * *

STATEMENTS TO BE FILED WITH [CLERK OF HOUSE] COMPTROLLER
GENERAL

SEC. 305. (a) Every person receiving any contributions or expending any money for the purposes designated in subparagraph (a) or (b) of section 307 shall file with the [Clerk] *Comptroller General* between the first and tenth day of each calendar quarter, a statement containing complete as of the day next preceding the date of filing—

(1) the name and address of each person who has made a contribution of \$500 or more not mentioned in the preceding report; except that the first report filed pursuant to this title shall contain the name and address of each person who has made any contribution of \$500 or more to such person since the effective date of this title;

(2) the total sum of the contributions made to or for such person during the calendar year and not stated under paragraph (1);

(3) the total sum of all contributions made to or for such person during the calendar year;

(4) the name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of \$10 or more has been made by or on behalf of such person, and the amount, date, and purpose of such expenditure;

(5) the total sum of all expenditures made by or on behalf of such person during the calendar year and not stated under paragraph (4);

(6) the total sum of expenditures made by or on behalf of such person during the calendar year.

(b) The statements required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

STATEMENT PRESERVED FOR TWO YEARS

SEC. 306. A statement required by this title to be filed with the [Clerk] *Comptroller General*—

(a) shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the [Clerk of the House of Representatives of the United States] *Comptroller General*, Washington, District of Columbia, but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by the [Clerk] *Comptroller General* of its nonreceipt;

(b) shall be preserved by the [Clerk] *Comptroller General* for a period of two years from the date of filing, shall constitute part of the public records of his office, and shall be open to public inspection.

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REGISTRATION WITH [SECRETARY OF THE SENATE AND CLERK OF THE HOUSE] *COMPTROLLER GENERAL*

SEC. 308. (a) Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation by the Congress of the United States shall, before doing anything in furtherance of such object, register with the [Clerk of the House of Representatives and the Secretary of the Senate] *Comptroller General* and shall give to [those officers] that officer in writing and under oath, his name and business address, the name and address of the person by whom he is employed, and in whose interest he appears or works, the duration of such employment, how much he is paid and is to receive, by whom he is paid or is to be paid, how much he is to be paid for expenses, and what expenses are to be included. Each such person so registering shall, between the first and tenth day of each calendar quarter, so long as his activity continues, file with the [Clerk and Secretary] *Comptroller General* a detailed report under oath of all money received and expended by him during the preceding calendar quarter in carrying on his work; to whom paid; for what purposes; and the names of any papers, periodicals, magazines, or other publications in which he has caused to be published any articles or editorials; and the proposed legislation he is employed to support or oppose. The provisions of this section shall not apply to any person who merely appears before a committee of the Congress of the United States in support of or opposition to legislation; nor to any public official acting in his official capacity; nor in the case of any newspaper or other regularly published periodical (including any individual who owns, publishes, or is employed by any such newspaper or periodical) which in the ordinary course of business publishes news items, editorials, or other comments, or paid advertisements, which directly or indirectly urge the passage or defeat of legislation, if such newspaper, periodical, or individual, engages in no further or other activities in connection with the passage or defeat of such legislation, other than to appear before a committee of the Congress of the United States in support of or in opposition to such legislation.

(b) All information required to be filed under the provisions of this section with the [Clerk of the House of Representatives and the Secretary of the Senate] *Comptroller General* shall be compiled by [said Clerk and Secretary, acting jointly,] *that officer* as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the Congressional Record.

* * * * *

POWERS AND DUTIES OF THE COMPTROLLER GENERAL

SEC. 310. The Comptroller General shall—

(a) *develop and prescribe methods and forms for the filing of reports and statements required by this title, and promulgate regulations for the administration of this title;*

(b) *make available for public inspection all reports and statements filed pursuant to this title;*

(c) *ascertain whether any persons have failed to file reports or statements as required by this title, or have filed incomplete or inaccurate reports or statements under this title, and notify such persons that they are obligated to file such reports or statements in compliance with the requirements of this title;*

(d) *report violations of this title to the appropriate law enforcement agencies of the Government;*

(e) *make such studies and transmit to the Congress such recommendations as the Comptroller General may deem to be necessary or appropriate to further the objectives of this title;*

(f) *transmit to the Secretary of the Senate and to the Clerk of the House of Representatives a true and correct copy of each report and statement filed under this title, which reports and statements shall be retained in the office of the Secretary of the Senate and the office of the Clerk of the House of Representatives as public records open to public inspection for two years after receipt thereof; and*

(g) *transmit to the Congress annually a full and complete report on the administration of this title.*

PENALTIES

*SEC. [310.] 311. * * **

EXEMPTION

*SEC. [311.] 312. * * **



(b) All information required to be filed under the provisions of this section with the [Clerk of the House of Representatives and the Secretary of the Senate] Comptroller General shall be compiled by [said Clerk and Secretary, acting jointly] that officer as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the Congressional Record.

COMPTROLLER GENERAL

Sec. 310. The Comptroller General shall—

(a) develop and prescribe methods and forms for the filing of reports and statements required by this title, and promulgate regulations for the administration of this title;

(b) make available for public inspection all reports and statements filed pursuant to this title;

(c) ascertain whether any persons have failed to file reports or statements as required by this title or have filed incomplete or inaccurate reports or statements under this title, and notify such persons that they are obligated to file such reports or statements in compliance with the requirements of this title;

(d) report violations of this title to the appropriate law enforcement agencies of the Government;

(e) receive and consider any request to the Comptroller General for information on the Commission's (1) records and (2) records on any person who has been or is being investigated by the Commission;

(f) transmit to the Secretary of the Senate and Clerk of the House of Representatives any information received from the Commission in response to a request for information under this title;

(g) transmit to the Secretary of the Senate and Clerk of the House of Representatives any information received from the Commission in response to a request for information under this title;

(h) transmit to the Secretary of the Senate and Clerk of the House of Representatives any information received from the Commission in response to a request for information under this title;

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(r) transmit to the Secretary of the Senate and Clerk of the House of Representatives any information received from the Commission in response to a request for information under this title;

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(v) transmit to the Secretary of the Senate and Clerk of the House of Representatives any information received from the Commission in response to a request for information under this title;

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(x) transmit to the Secretary of the Senate and Clerk of the House of Representatives any information received from the Commission in response to a request for information under this title;

(y) transmit to the Secretary of the Senate and Clerk of the House of Representatives any information received from the Commission in response to a request for information under this title;

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